

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

EDWARD THOMAS KENNEDY,
Plaintiff.

v.

Civil No. 3-18-cv-00767

DUTCAVICH, et al.,
Defendants.

Take Judicial Notice and Motion for Magistrate
to Recuse from this Case

1. Plaintiff is Edward Thomas Kennedy, one of the people of Pennsylvania, and in this court of record moves for an order granting his Motion for Recusal for Cause concerning the Magistrate, Susan E. Schwab, assigned to administrate and/or assist in this civil action at law.

2. The Supreme Court of the United States said that “Recusal is required when, objectively speaking, ‘the probability of actual bias on the part of the judge or decision maker is too high to be constitutionally tolerable.’”¹

3. Kennedy hereby now reasonably questions said Judges' impartially, and respectfully wishes recusal from this case.

WHEREFORE, Plaintiff requests the Judge assigned to this case in this court of record

¹ RIPPO v. BAKER, <https://www.law.cornell.edu/supremecourt/text/16-6316#>; Rippo v. Baker, 137 S. Ct. 905 - Supreme Court 2017

grant Plaintiff's Motion for Recusal for Cause and recuse.

Date: December 7, 2018

Respectfully submitted,

/s/ *Edward Thomas Kennedy* (seal)

EDWARD THOMAS KENNEDY

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Take Judicial Notice and Motion for Magistrate to Recuse from this Case was served upon the Magistrate and the Clerk of this court by ECF on December 7, 2018, also known as Pearl Harbor Day.

Date: December 7, 2018

/s/ Edward Thomas Kennedy

Edward Thomas Kennedy